

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF PENNSYLVANIA**

In re:

NATIONAL BROKERS OF AMERICA, INC. Chapter 7

Debtor.

Bankruptcy No. 19-15488pmm

**DEBTOR'S RESPONSE IN OPPOSITION TO CREDITOR, JASON SCOTT JORDAN's
CROSS MOTION TO ANNUL THE AUTOMATIC STAY AND DISMISS THIS
BANKRUPTCY**

Debtor, National Brokers of America, through undersigned counsel, request that the Court deny Creditor Jason Scott Jordan's Cross Motion to Annul the Automatic Stay and, in the Alternative, Dismiss this Bankruptcy.

Brief Rebuttal to Creditor Jason Jordan's claims that Automatic Stay should be annulled under 11 U.S.C Sections 362(d) and in the alternative that this Bankruptcy be dismissed under 11 U.S.C. Sections 549(c). Reliance upon either of these statutes is inapposite in this matter as both Jason Jordan and his counsel have been receiving all notices this Court has issued over the past 4 plus years.

Creditor Jason Jordan, through his counsel, has known of the existence of the automatic stay prior to their receiving a judgment against not only Alan Redmond, but National Brokers of America, Inc. Instead of seeking to correct the judgment placed against Debtor, National Brokers of America, have sought to capitalize on it and take over duties which rightfully a under the purview of the Trustee. Almost two years ago, they filed an action against Bene Market, LLC under the theory that it was a successor in interest to National Brokers of America and that it was holding assets belonging to National Brokers of America (See Exhibit "A" attached herewith).

See Generally concerning this Court's criteria in determining whether to lift an Automatic Stay: *In Re Margaret J. Myers*, 491 F.3d 120 (3d Cir. 2007) at 127-28. "In exercising that authority, a bankruptcy court considers numerous factors including (1) whether the creditor was aware of the bankruptcy filing or encouraged violation of the stay; (2) whether the debtor is guilty of inequitable unreasonable, or dishonest conduct; and (3) whether the creditor would suffer prejudice. See id. at 129." In this case, all other creditors would suffer prejudice as creditor Jason Jordan is seeking to ignore the Automatic Stay and blatantly pursue Debtor assets.

Debtor also generally objects to any allegations that this Bankruptcy should be dismissed under be dismissed under 11 U.S.C. Sections 549(c). Cross Movant Creditor makes only general allegations concerning the propriety of the underlying bankruptcy, which are too general to be specifically refuted, but are instead refuted by an active longstanding bankruptcy which has been successfully administering the Debtor's estate and making distributions to Creditors.

Accordingly, Debtor requests that this Court deny Jason Scott Jordan's Motion for a to Annul the Automatic Stay and in the Alternative Dismiss this Bankruptcy.

Philadelphia, PA
July 1, 2024

RESPECTFULLY SUBMITTED,

/s/ Norman M. Valz
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CERTIFICATE OF SERVICE

I CERTIFY that a true and correct copy of the foregoing was served via Notice of Electronic Filing (CM/ECF) on this 27th day of June 2024, upon all registered users in this case in compliance with the Federal Rules of Civil Procedure and the Rules of the Eastern District of Pennsylvania.

Philadelphia, PA
July 1, 2024

RESPECTFULLY SUBMITTED,

/s/ Norman M. Valz
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